

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RONALD POLK,

Plaintiff,

v.

Case Number 03-10282-BC
Honorable David M. Lawson

EXPERIAN and TRANSUNION,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORTS AND
RECOMMENDATIONS, GRANTING DEFENDANT TRANSUNION'S
MOTION FOR SUMMARY JUDGMENT, GRANTING
DEFENDANT EXPERIAN'S MOTION TO DISMISS, AND DISMISSING CASE**

This matter is before the court on defendant TransUnion's motion for summary judgement and defendant Experian's motion to dismiss. The motions were referred to United States Magistrate Judge Charles E. Binder pursuant to 28 U.S.C. § 636(b)(1)(B) and E.D. Mich. LR 72.1. The magistrate judge issued two reports on June 9, 2005, recommending that this Court grant both defendants' motions. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendations within ten days of service of the report, the plaintiff did not file any objections. The plaintiff's failure to file objections to the reports and recommendations waives any further right to appeal. *Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's reports releases the Court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's reports and recommendations are **ADOPTED** [dkt #s 34, 35], defendant TransUnion's motion for summary judgment [dkt # 32] is

GRANTED, and defendant Experian's motion to dismiss [dkt # 30] is **GRANTED**.

It is further **ORDERED** that the case is **DISMISSED WITH PREJUDICE**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: June 30, 2005

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on June 30, 2005.

s/Tracy A. Jacobs
TRACY A. JACOBS